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PROTECTION OF THE ENVIRONMENT IN TIMES OF ARMED CONFLICT

Australia, Bangladesh, Benin, Croatia, Cyprus, Czechoslovakia, Denmark, Finland, Greece, Hungary, Ireland, Jordan, Lebanon, Morocco, Netherlands, New Zealand, Norway, Poland, Republic of Korea, Romania, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen: draft resolution

Protection of the environment in times of armed conflict

The General Assembly,

Recognizing that the use of certain means and methods of warfare may have dire effects on the environment,

Recognizing also the importance of the provisions of international law applicable to the protection of the environment in times of armed conflict and, in particular, both the rules of universal applicability laid down in the Hague Convention respecting the Laws and Customs of War on Land, of 18 October 1907, with the regulations annexed thereto, 1/ and the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 2/ as well as the applicable rules of the Protocol Additional

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1/ See Carnegie Endowment for International Peace, The Hague Conventions and Declarations of 1899 and 1907 (New York, Oxford University Press, 1915), p. 100.

2/ United Nations, Treaty Series, vol. 75, No. 973.

to the Geneva Conventions of 12 August 1949, 3/ and relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 1977, 4/ and of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques of 1977, 5/

Expressing its deep concern over environmental damage and depletion of natural resources, including the destruction of hundreds of oil-well heads and the release and waste of crude oil into the sea, during recent conflicts,

Noting that existing provisions of international law prohibited such acts,

Stressing that destruction of the environment, not justified by military necessity and carried out wantonly, is clearly contrary to existing international law,

Concerned that the provisions of international law prohibiting such acts may not be widely disseminated and applied,

Noting the work on environmental protection carried out within the United Nations system, as well as at other meetings and symposia on the subject,

Noting also the final declaration of the Second Review Conference of the parties to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques,

Recalling the Rio Declaration on Environment and Development, 6/ adopted at the United Nations Conference on Environment and Development at Rio de Janeiro on 14 June 1992, in particular its principle 24, and other relevant decisions of the United Nations Conference on Environment and Development,

Expressing its appreciation for the report of the Secretary-General issued pursuant to decision 46/417, 7/

Welcoming the activities of the International Committee of the Red Cross in this field, including plans to continue its consultation of experts with an enlarged basis of participation and its readiness to prepare a handbook of model guidelines for military manuals,

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3/ Ibid., Nos. 970-973.

4/ Ibid., vol. 1125, No. 17512.

5/ Ibid., vol. 1108, No. 17119.

6/ A/CONF.151/26 (vol. I), annex I.

7/ A/47/328.

1. Urges States to take all measures to ensure compliance with the existing international law applicable to the protection of the environment in times of armed conflicts;

2. Appeals to all States that have not yet done so to consider becoming party to the relevant international conventions;

3. Further urges States to take steps to incorporate the provisions of international law applicable to the protection of the environment into their military manuals and to ensure that they are effectively disseminated;

4. Requests the Secretary-General to invite the International Committee of the Red Cross to report on activities undertaken by the Committee and other relevant bodies with regard to the protection of the environment in times of armed conflict, and to submit a report to the General Assembly at its forty-eighth session under the item entitled "United Nations Decade of International Law" on activities reported by the International Committee of the Red Cross.